IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY THIRD DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 4426 of 2004

Between:

The Markapur Town Muslim Welfare Development Society, Markapur, rep., by its Secretary & Correspondent

Mr.Shaik Nazeer Basha, s/o Peer Ahmed, Occ:RTA & LIC Agent, r/o H.No.10/506, Nehrunagar Colony,
Markapur, Prakasam District.

.... PETITIONER

AND

1. The Chief Executive Officer, A.P.State Wakf Board, Opp.Public Gardens, Nampally, Hyderabad

2 The District Collector, Prakasam District, Ongole.
3 Sri Mirza Khalilulla Baig, s/o Mahaboob Baig,
Jamia Masque, Occ:Care Taker Mutavalli, Jamia Masque, 2nd Ward, Markapur,
Prakasam District.
4 The District Wakf Board Inspector, Ongole, Prakasam District.
5 The Enquiry Officer, A.P.State Wakf Board, Opp.Public Gardens, Nampally, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not constituting a Managing Committee u/s.18 of the Act for maintenance, management of the Idgah in pursuance of the representation dt.3-10-2003 made by the members of the Muslim Community to constitute managing committee as being illegal, arbitrary and amounts to dereliction of duty and pass such other order or orders.

Counsel for the Petitioner: MR.S.A.K.MYNUDDIN

Counsel for the Respondent Nos.1,4&5: SUBHANI.S.M.G.P.LAND REVENUE

Counsel for the Respondent No.2: Govt. Pleader for Revenue

Counsel for the Respondent No.3: Mr.MIRZA NISAR ADHED BAIG

The Court made the following:

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ORDER:

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Heard both the learned counsel.

2. The only grievance of the petitioner is that in spite of filing of a detailed representation on 03.10.2003, which is only a continuation of the complaint, as filed earlier on 09.11.2001, the same is not being disposed of.

3. Having regard to the same, it is not necessary to go into the merits of the claim on either side.

4. Accordingly, the writ petition is disposed of, directing the 1st Respondent herein to give a hearing to the petitioner and pass orders in pursuance of the representation filed by him on 03.10.2003 on merits in accordance with law, within a period of one month from the date of receipt of a copy of this order. No costs.

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23.07.2004

dsr/skmr

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Chief Executive Officer,

, A.P.State Wakf Board,

Opp.Public Gardens, Nampally,Hyderabad.

2. The District Collector,

Prakasam District, Ongole.

3. The District Wakf Board Inspector,

Prakasam District, Ongole,

4. The Enquiry Officer,

A.P.State Wakf Board,

Opp.Public Gardens, Nampally, Hyderabad

5. Two CCs to the Government Pleader [for REVENUE],

High Court Buildings, Hyderabad [OUT]

6. Two CD copies